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STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

NEW YORK.

County Tuberculosis Hospitals—Establishment, Maintenance, and Supervision— Admissions. (Chap. 132, Act Mar. 29, 1915.)

SECTION 1. Section 45 of chapter 16 of the laws of 1909, entitled "An act in relation to counties, constituting chapter 11 of the consolidated laws," as added by chapter 341 of the laws of 1909, and amended by chapters 166¹ and 379² of the laws of 1913 and 323³ of the laws of 1914, is hereby amended to read as follows:

SEC. 45. *Establishment of county hospital for tuberculosis.*—The board of supervisors of any county shall have power by a majority vote to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis; or it may submit the question of establishing such a hospital to the voters of the county at any general election; and in any county in which town meetings at which all the voters of the county may vote are held in the spring of the year, the board of supervisors of such a county shall have authority also to submit the question of establishing such a hospital at said town meetings to the electors of the county who are qualified to vote at a general election. The board of supervisors shall fix the sum of money deemed necessary for the establishment of said hospital. The form of the proposition submitted shall read as follows: "Shall the county of..... appropriate the sum of dollars for the establishment of a tuberculosis hospital?" The election notices shall state that the proposition will be voted upon and in the form set forth above. Provision for taking such vote and for the canvassing and returning of the result shall be made by the duly constituted election authorities.

If a majority of the voters voting on such proposition shall vote in favor thereof then such hospital shall be established hereunder and the sum of money named in the said proposition shall be deemed appropriated, and it shall be the duty of the board of supervisors to proceed forthwith to exercise the powers and authority conferred upon it in this section.

When the board of supervisors of any county shall have voted to establish such hospital, or when a referendum on the proposition of establishing such a hospital in a county, as authorized above, shall have been carried, the board of supervisors shall—

1. Purchase or lease real property therefor, or acquire such real property, and easements therein, by condemnation proceedings, in the manner prescribed by the condemnation law, in any town, city, or village in the county. After the presentation of the petition in such proceeding prescribed in section 3360 of the code of civil procedure and the filing of the notice of pendency of action prescribed in section 3381 thereof, said board of supervisors shall be and become seized of the whole or such part of the real property described in said petition to be so acquired for carrying into effect the provisions of this act, as such board may, by resolution adopted at a regular or special session, determine to be necessary for the immediate use and such board for and in the name of such county may enter upon, occupy, and use such real property

¹ Reprint No. 264, p. 309.

² Ibid., p. 310.

³ Reprint No. 279, p. 109.

so described and required for such purposes. Such resolution shall contain a description of the real property of which possession is to be taken and the day upon which possession will be taken. Said board of supervisors shall cause a copy of such resolution to be filed in the county clerk's office of the county in which such property is situated, and notice of the adoption thereof, with a copy of the resolution and of its intention to take possession of the premises therein described on a day certain, also therein named, to be served, either personally or by mail, upon the owner or owners of, and persons interested in, such real property, at least five days prior to the day fixed in such resolution for taking possession. From the time of the service of such notice, the entry upon and appropriation by the county of the real property therein described for the purposes provided for by this act, shall be deemed complete, and such notice so served shall be conclusive evidence of such entry and appropriation and of the quantity and boundaries of the lands appropriated. The board of supervisors may cause a duplicate copy of such papers so served, with an affidavit of due service thereof on such owner or person interested, to be recorded in the books used for recording deeds in the office of the county clerk of its county, and the record of such notice and such proof of service shall be prima facie evidence of the due service thereof. Compensation for property thus acquired shall be made in such condemnation proceeding.

2. Erect all necessary buildings and alter any buildings, on the property when acquired for the use of said hospital: *Provided*, That the plans for such erection or alteration shall first be approved by the State commissioner of health.

3. Cause to be assessed, levied, and collected such sums of money as it shall deem necessary for suitable lands, buildings, and improvements for said hospital, and for the maintenance thereof, and for all other necessary expenditures therefor; and to borrow money for the erection of such hospital and for the purchase of a site therefor on the credit of the county, and issue county obligations therefor, in such manner as it may do for other county purposes.

4. Appoint a board of managers for said hospital as hereinafter provided.

5. Accept and hold in trust for the county, any grant or devise of land, or any gift or bequest of money or other personal property, or any donation to be applied, principal or income, or both, for the benefit of said hospital, and apply the same in accordance with the terms of the gift.

SEC. 2. Subdivision 1 of section 47 of such chapter is hereby amended to read as follows:

1. Shall elect from among its members, a president and one or more vice presidents. It shall appoint a superintendent of the hospital who shall be also the treasurer and secretary of the board, and it may remove him for cause stated in writing and after an opportunity to be heard thereon after due notice; and may suspend him from duty pending the disposition of such charges. Said superintendent shall not be a member of the board of managers, and shall be a graduate of an incorporated medical college, with an experience of at least three years in the actual practice of his profession.

SEC. 3. Subdivision 5 of section 48 of such chapter, as amended by chapters 149 and 239 ¹ of the laws of 1912 and chapter 379 ² of the laws of 1913, is hereby amended to read as follows:

5. Shall receive into the hospital in the order of application any person found to be suffering from tuberculosis in any form who is entitled to admission thereto under the provisions of this chapter, excepting that if at any time there be more applications for admission to said hospital than there are vacant beds therein, said superintendent shall give preference in the admission of patients to those who in his judgment, after an inquiry as to the facts and circumstances, are more likely to infect members of their households and others, in each instance signing and placing among the permanent records of the hospital a statement of the facts and circumstances upon which he bases

¹ Reprint No. 200, p. 155.

² Reprint No. 264, p. 310.

his judgment as to the likelihood of transmitting infection, and reporting each instance at the next meeting of the board of managers; and shall also receive persons from other counties as hereinafter provided. Said superintendent shall cause to be kept proper accounts and records of the admission of all patients, their name, age, sex, color, marital condition, residence, occupation, and place of last employment.

County Tuberculosis Hospitals—Change of Location. (Chap. 427, Act Apr. 28, 1915.)

SECTION 1. Section 45 of chapter 16 of the laws of 1909, entitled "An act in relation to counties, constituting chapter 11 of the consolidated laws," as added by chapter 341 of the laws of 1909, and amended by chapters 166¹ and 379² of the laws of 1913, and 323³ of the laws of 1914, and 132 of the laws of 1915, is hereby amended by adding a new subdivision, to be subdivision 6 thereof, to read as follows:

6. Whenever it shall deem it in the public interest so to do, and notwithstanding the provisions of any other general or special act, change the location of such hospital and acquire a new site by purchase, lease, or condemnation, as provided in this section, and establish the hospital thereon.

Boards of Health in Villages. (Chap. 323, Act Apr. 17, 1915.)

SECTION 1. Section 43 of chapter 64 of the laws of 1909, entitled "An act relating to villages, constituting chapter 64 of the consolidated laws," is hereby amended to read as follows:

SEC. 43. *List of village officers; mode of choosing; official year; terms of office.*—Every village shall have a president, not less than two trustees, a treasurer, a clerk, and a street commissioner. * * *

There shall be a board of health in each village, consisting of the board of trustees of such village. The president, trustees, treasurer, collector, police justice, and assessors shall be elective officers, * * *

Milk—License for Buying and Shipping to Cities. (Chap. 651, Act May 18, 1915.)

SECTION 1. Section 55 of chapter 9 of the laws of 1909, entitled "An act in relation to agriculture, constituting chapter 1 of the consolidated laws," as added by chapter 408 of the laws of 1913, is hereby amended to read as follows:

SEC. 55. *Licensing of milk-gathering stations where milk is bought.*—On and after September 1, 1913, no person, firm, association, or corporation shall buy milk or cream within the State from producers for the purpose of shipping the same to any city for consumption or for manufacture unless such business be regularly transacted at an office or station within the State and unless such person, firm, association, or corporation be duly licensed as provided in this and the ensuing sections of this article. Every such person, firm, association, or corporation before engaging or continuing in the business of buying milk or cream for the purposes aforesaid shall annually, on or before August 1, file an application with the commissioner of agriculture for a license to transact such business. The application shall state the nature of the business, as hereinabove set forth, the full name of the person or corporation applying for the license, and, if the applicant be a firm or association, the full name of each member of such firm or association, the city, town, or village and street number at which the business is to be conducted, and such other facts as the commissioner of agriculture shall prescribe. The applicant shall further satisfy the commissioner of his or its character, financial responsibility, and good faith in seeking to carry on such business.

The commissioner shall thereupon issue to such applicant, on payment of \$10, a license entitling the applicant to conduct the business of buying milk and cream

¹ Reprint No. 264, p. 309.

² Ibid., p. 310.

³ Reprint No. 279, p. 109.